

1 PHILLIP A. TALBERT
2 United States Attorney
3 CHRISTOPHER S. HALES
4 Assistant U.S. Attorney
5 501 I Street, Suite 10-100
6 Sacramento, CA 95814
7 (916) 554-2700

8 Attorneys for Plaintiff
9 United States of America

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11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 In re: Marijuana Possession Dismissals)
14 Pursuant to October 6, 2022, Presidential)
15 Proclamation Pardoning Individuals for the) UNITED STATES'S MOTION TO DISMISS AND
16 Offense of Simple Possession of Marijuana) RECALL BENCH WARRANTS;
17) ORDER
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Dismissal of Marijuana Possession Cases Pursuant to Presidential Pardon

By a presidential proclamation on October 6, 2022, President Biden announced a pardon for federal misdemeanor marijuana possession offenses.¹ Pursuant to that presidential pardon and Rule 48(a) of the Federal Rules of Criminal Procedure, plaintiff United States of America, by and through its undersigned attorney, hereby moves this Honorable Court for an Order dismissing the 196 misdemeanor marijuana possession cases listed in Exhibit A to this motion, and to recall all associated warrants.

The list below contains those Eastern District of California marijuana possession cases that the U.S. Attorney's office has identified to date as still pending before the Sacramento division of the

¹ See <https://www.whitehouse.gov/briefing-room/presidential-actions/2022/10/06/granting-pardon-for-the-offense-of-simple-possession-of-marijuana/> (last accessed August 7, 2023).

1 district, including Redding, that have assigned ECF case numbers. Many of these cases remain open
2 because they are in warrant status. Consistent with President Biden's proclamation, the government
3 therefore requests that this Court order dismissal of these cases and recall of all associated warrants.

4 Respectfully submitted,

5 Dated: August 8, 2023

6 PHILLIP A. TALBERT
United States Attorney

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9 CHRISTOPHER S. HALES
10 Assistant United States Attorney

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12 **ORDER**

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14 As Chief Magistrate Judge for the Eastern District of California, and pursuant to the motion of
15 the United States, I hereby order dismissal of each misdemeanor marijuana possession case listed below
16 in Exhibit A, and the recall of all warrants associated with each case. I further direct the Clerk of the
17 Court to file a copy of this signed order in each of the cases listed below.

18 IT IS SO ORDERED.

19 Dated: August 9, 2023

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21
22 KENDALL J. NEWMAN
23 UNITED STATES MAGISTRATE JUDGE

Exhibit A

List of Cases to be Dismissed

	ECF Case Number	Defendant
1	2:17-PO-00495-DB	Jose Rosas
2	2:18-PO-00011-AC	Frank Martinez
3	2:18-PO-00138-AC	Daniel R. Carlson
4	2:18-PO-00149-DB	Robert Mesta
5	2:18-PO-00331-DB	Kevin B. Cowan
6	2:19-PO-00032-AC	Cherish Carter
7	2:19-PO-00304-DB	Joshua N. Stark
8	2:20-PO-00038-AC	Aron Daniel
9	2:20-PO-00040-AC	Michael V. Dzigorski
10	2:20-PO-00205-KJN	Scott S. Barrett
11	2:20-PO-00300-EFB	Mario Bargas
12	2:20-PO-00462-DB	Shaundell M. Hatcher-Harris
13	2:20-PO-00479-CKD	Jasmine Moschell
14	2:20-PO-00562-CKD	Robert Williams
15	2:20-PO-00602-DB	Thomas Hasch
16	2:21-PO-00159-AC	Zachary J. Noack
17	2:21-PO-00195-DB	Anthony Wright
18	2:21-PO-00274-CKD	Winston Jackson
19	2:21-PO-00282-CKD	Kurt Smith
20	2:21-PO-00369-JDP	Michael R. Block
21	2:21-PO-00390-JDP	Michael Meletiou
22	2:21-PO-00395-JDP	Hosanna Perez
23	2:21-PO-00405-JDP	Allen White
24	2:21-PO-00421-AC	Donald Clontz
25	2:21-PO-00442-AC	Robert T. Ocoboc
26	2:21-PO-00475-KJN	Harold Deaulette
27	2:22-PO-00020-KJN	Michael A. Heller
28	2:22-PO-00235-DB	Michael Binder
29	3:16-PO-00006-CMK	Mindy J. Gaede
30	3:16-PO-00008-CMK	Tonka Gritts
31	3:16-PO-00016-CMK	Johnny C. Lor
32	3:16-PO-00019-CMK	Stephen Lundquist
33	3:16-PO-00021-CMK	Warren Martin
34	3:16-PO-00026-CMK	Dwayne Meyers
35	3:16-PO-00034-CMK	Johnny Lou

	ECF Case Number	Defendant
1	36	Oliver Fresquez
2	37	Ronald Kistle
3	38	William Carter
4	39	Jeremy Deleal
5	40	Peter S. Graf
6	41	Gregory Crater
7	42	John Moreno
8	43	Silvestre Nevarez
9	44	Thomas Bailey
10	45	Tory Smith
11	46	Larry E. Sipes
12	47	Anthony E. Deal
13	48	Lee Khang
14	49	Madison E. Bonnel
15	50	Rogelio Deival-Riggs
16	51	Warren Martin
17	52	William C. Moon
18	53	James E. Crosley
19	54	Devin C. Johnson
20	55	William R. Winstead
21	56	Emillano D. Herrera-Anaya
22	57	Tanyia E. Callahan
23	58	Davis L. Cutter
24	59	Tiffany Haner
25	60	Rosser L. Jones
26	61	Joshua A. Levi
27	62	Eric L. Milam
28	63	Justin T. Resmondo
	64	Lai H. Saeyang
	65	Danford L. Schow
	66	Robert A. Edwards
	67	Joseph V. Trevino
	68	Paul Vaughan
	69	James M. Atwood
	70	Michael A. Fontes
	71	Michael B. Yingling
	72	William A. Abrego
	73	Charles M. Niemeien
	74	Amy Tiner
	75	Kevin L. Turner
	76	Tianna M. Lee

	ECF Case Number	Defendant
1	77	Travis A. Gendreau
2	78	Marcus A. Collins
3	79	Gary S. Due
4	80	Sergio Guerrero Jr
5	81	Zachary T. Hobbs
6	82	Robert A. Jones Jr
7	83	Katie V. Lucas
8	84	Alexandrya Magdalenochapman
9	85	James Pawlyk
10	86	Christopher W. Rathja Jr
11	87	Nicholas Schave
12	88	Jodie A. Teal
13	89	Justin L. Wade
14	90	Franklin A. Williams
15	91	Rodney W. Young
16	92	Sarah S. Hayburn
17	93	Giovanni A. Cabrera-Caicedo
18	94	Antonio J. Ramirez
19	95	Ruben Vargas
20	96	Gary T. Haren
21	97	Brandon Birron
22	98	Alexander W. Calvert
23	99	Carlos X. Cruz
24	100	James O. Hamilton II
25	101	Eric L. Hatfield
26	102	Larry Laird
27	103	Jaime E. Montana Equihua
28	104	Sarah E. Preston
	105	Evan Stowers
	106	Lorrie M. Robinson
	107	Amber Yates
	108	Albert Hernandez
	109	Jeffrey J. Quinlain
	110	Jon W. Payne
	111	Roy J. Petersen
	112	Franklin A. Patty
	113	Nhou C. Vang
	114	Charles K. Day
	115	Bobby Manjoet
	116	Michael J. Singer
	117	Daniel R. Bordner

	ECF Case Number	Defendant
1	118	Nicholas P. Johnson
2	119	Tou Thao
3	120	Caleb L. Centeno
4	121	Darrin R. Dickson
5	122	John A. Gray Jr
6	123	Jackson C. Kircher
7	124	Tracy A. Line
8	125	Maguel K. Mendez
9	126	Casey J. Rowland
10	127	Deborah Stein
11	128	Antonia D. Bautist-Adalson
12	129	Jullian J. Haymon
13	130	Kiel Laubisch
14	131	Ton Fow Saephan
15	132	Deon M. Stanford
16	133	Jose F. Mendoza
17	134	Rachel I. Rabago
18	135	Eberto Tafolla-Solorio
19	136	Ethan J. Willison
20	137	Riley E. Young
21	138	Brian J. Schricker
22	139	Aaron D. Hightower
23	140	Richard E. Kiser Jr
24	141	Michael A. Crist
25	142	Danny Pitcher
26	143	Fermin C. Salas Jr
27	144	Christina M. Halcon
28	145	Billy W. Larkins
	146	Candice R. Beals
	147	Ismael Caro Jr
	148	Christian C. Arguello
	149	Daniel R. Bowman
	150	Jerry W. Cox
	151	Nathaniel E. Craig
	152	Rachelle L. Munoz
	153	Troy C. Tolan
	154	Santiago D. Ibanez
	155	James Thomas
	156	Jose U. Alvarez-Madrigal
	157	Julie M. Byers
	158	Zachary M. Hancock

	ECF Case Number	Defendant
1	159	3:20-PO-00281-DMC
2	160	Adrian L. Henson
3	161	3:20-PO-00282-DMC
4	162	Jon U. Hershman
5	163	3:20-PO-00291-DMC
6	164	Jesse C. Keisner
7	165	3:20-PO-00315-DMC
8	166	Jason F. Munoz
9	167	3:20-PO-00349-DMC
10	168	Steven W. Schick
11	169	3:20-PO-00363-DMC
12	170	Dustin W. Webster
13	171	3:20-PO-00395-DMC
14	172	Arthur Chacon
15	173	3:20-PO-00414-DMC
16	174	Vincent Galindo
17	175	3:20-PO-00428-DMC
18	176	Shane L. Hayes
19	177	3:20-PO-00449-DMC
20	178	Matthew C. Morrison
21	179	3:20-PO-00477-DMC
22	180	Kevin L. Son
23	181	3:21-PO-00010-DMC
24	182	Simon L. Bigall
25	183	3:21-PO-00022-DMC
26	184	Ashley Hitcher
27	185	3:21-PO-00063-DMC
28	186	Robert J. McMaster
	187	3:21-PO-00072-DMC
	188	Jim H. Harper
	189	3:21-PO-00077-DMC
	190	Juan Perez
	191	3:21-PO-00111-DMC
	192	Jose J. Esparza
	193	3:21-PO-00119-DMC
	194	Jon W. Graham
	195	3:21-PO-00136-DMC
	196	Levi M. Rogers
	197	3:21-PO-00158-DMC
	198	Rebecca Clarke
	199	3:21-PO-00175-DMC
	200	Jade S. Wilt
	201	3:21-PO-00183-DMC
	202	Milton L. Booker
	203	3:21-PO-00193-DMC
	204	Johnny W. Gragg
	205	3:21-PO-00195-DMC
	206	David W. Griffin
	207	3:21-PO-00290-DMC
	208	Tia A. Smith
	209	3:21-PO-00324-DMC
	210	Colton Hastings
	211	3:21-PO-00345-DMC
	212	Adrienne J. Blake
	213	3:22-PO-00018-DMC
	214	Brian D. Tynes
	215	3:22-PO-00030-DMC
	216	Anthony Jimenez
	217	3:22-PO-00043-DMC
	218	Michael J. McDonald
	219	3:22-PO-00065-DMC
	220	Eli J. Hancock
	221	3:22-PO-00105-DMC
	222	Christopher L. Simmons
	223	3:22-PO-00117-DMC
	224	Sean Roccoforte
	225	3:22-PO-00222-DMC
	226	Valeria C. Diaz
	227	3:22-PO-00231-DMC
	228	Peter J. Grundig
	229	3:22-PO-00245-DMC
	230	Domanick W. Rawlins
	231	3:22-PO-00262-DMC
	232	Brandy L. Bemis
	233	3:22-PO-00273-DMC
	234	Karolina Hajdas